

1 AUG 1949

The Honorable
The Attorney General
Department of Justice
Washington 25, D. C.

Dear Mr. Attorney General:

The Central Intelligence Agency Act of 1949
(P.L. 110, Eighty First Congress) became law on 20 June
1949. Section 8 of that Law provides as follows:

"Sec. 8. Whenever the Director, the Attorney General, and the Commissioner of Immigration shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: Provided, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed one hundred persons in any one fiscal year."

I am establishing internal procedures and controls for the processing of cases which appear to be appropriate for action under this Section. In order that you may be fully cognizant of our plans in this respect, and to furnish you the information you will require to make your determination as specified in this Section, I submit the following proposal for your consideration.

DOCUMENT NO. _____
NO CHANGE IN CLASS. ☒
☐ DECLASSIFIED
CLASS. CHANGED TO: TS S C
NEXT REVIEW DATE: _____
AUTH: HR 70-2
DATE: 9/4/81 REVIEWER:

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In our concept this authority is purely for the fulfillment of urgent operational needs and is in no sense to be used as a substitute for immigration authorities or other current laws and regulations pertaining to the entry of aliens into the United States. I have therefore directed that the authority of Sec. 8 be involved only in those cases in which the record will clearly show that there is an important operational aspect arising within the foreign intelligence functions of the Central Intelligence Agency, and that there are statutory, security or time limitations which prohibit entry under other authorities. There will further be required a showing of the necessity for permanent as opposed to temporary entry. If I am satisfied that a case requires the use of the authority granted in Section 8 quoted above, I shall then forward to you an outline of the plan with all biographical and investigative data which we possess concerning the aliens involved.

Heretofore, all problems concerning aliens on which this Agency has had occasion to approach your Department have been handled through a liaison established between our General Counsel and the Commissioner of Immigration and Naturalization. We have received most effective assistance from the Commissioner's Office, as I have previously had the pleasure of noting. If it suits your purposes, I suggest that the same channel be used to submit our proposals under Section 8 of the CIA Law. By this means, if your approval were then given, the Commissioner would have taken the action required of him by the Act, and immediate steps to effect entry could be taken.

If this is not suitable, please call on me if you wish to discuss alternatives, or write me your wishes in this respect. Of course, I understand that the eventual settlement of aliens brought in under this authority will be a responsibility of this Agency, and that after arrival they are subject to all laws and regulations concerning aliens residing permanently in the United States, including deportation for cause arising out of circumstances subsequent to such arrival.

Sincerely yours,

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O/RNH

Will Hand

R. H. HILLENKOETTER

REAR ADMIRAL, USN

DIRECTOR OF CENTRAL INTELLIGENCE

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LRHouston:mao

Central Records

Signature Approved For Release 2003/08/13 : CIA-RDP80R01731R001300040035-0

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